



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

January 12, 2010

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – *Defense Business Board*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *Defense Business Board* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, as amended, Section 576 of Public Law 108-375 and in accordance with 41 CFR § 102-3.50(a).

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter (attached). The proposed charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact my point of contact, Len O'Reilly, at 703-601-6148.

A handwritten signature in black ink, reading "James D. Freeman II", is positioned above the printed name.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

2 Attachments

1. DA&M Memo
2. Proposed Charter

TAB 1



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MEMORANDUM FOR SPECIAL ASSISTANT TO THE DEPUTY SECRETARY
OF DEFENSE

SUBJECT: Charter Renewal – Defense Business Board

The charter for the Defense Business Board is approved for renewal. A notice will be published in the Federal Register announcing the Department's intention to renew the committee's charter. My Committee Management Officer, pursuant to 41 CFR § 102-3.70, will formally file the Committee's renewed charter with the Library of Congress, the General Services Administration, and the appropriate congressional oversight committees.

As the DoD Sponsor for this federal advisory committee, you are reminded that you are responsible for:

- (a) Ensuring that the Defense Business Board's Designated Federal Officer (DFO) attends all the meetings;
- (b) Ensuring that the DFO and the Board fully complies with all appropriate federal statutes and regulations, to include DoD Instruction 5105.04;
- (c) Providing adequate support to the Board and its membership;
- (d) Ensuring that the Board members are appointed according to DoD policy, and that they do not serve on the Board until all personnel and ethics paperwork has been processed by the appropriate offices;
- (e) Ensuring that neither the Defense Business Board's membership is unduly or inappropriately influenced by federal employees or any special interest;
- (f) Monitoring the implementation status of any recommendation adopted by the Department of Defense or the Congress, and ensuring that this information is available for future inquiries.

If you should have any questions, please contact my Committee Management Officer, Frank Wilson, at 703-601-6100.

Michael L. Rhodes
Acting Director

TAB 2

CHARTER
DEFENSE BUSINESS BOARD

1. Committee's Official Designation: The Committee shall be known as the Defense Business Board (hereafter referred to as the Board).
2. Authority: The Secretary of Defense, under the provision of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR § 102-3.50(d), established the Board.
3. Objectives and Scope of Activities: The Board shall examine and advise on overall management and governance of the Department of Defense.
4. Description of Duties: The Board shall provide the Secretary of Defense and the Deputy Secretary of Defense independent advice and recommendations on effective strategies for the implementation of best business practices on matters of interest to the Department of Defense.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense through the Deputy Secretary of Defense.
6. Support: The Department of Defense, through the Office of the Secretary of Defense and the Washington Headquarters Services, shall provide support as deemed necessary for the Board's performance, and shall ensure compliance with the requirement of the Federal Advisory Committee Act of 1972 and the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b).

Additional information and assistance, as required, may be obtained from other DoD Components with contracting authority, support contractors, including DoD Federally Funded Research and Development Centers for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs and meeting and contract support is approximately \$750,000.00. The estimated annual personnel costs to the Department of Defense are six (6) full-time equivalents (FTE).
8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer is required to be in attendance at all meetings, however, in the absence of the Designated Federal Officer, the Alternate Designated Federal Officer shall attend the meeting.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's Designated Federal Officer, in consultation with the Chairperson. The estimated number of Board meetings is four per year.
10. Duration: The need for this advisory function is on a continuing basis; however this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or designee extends it.
12. Membership and Designation: The Board's membership shall not exceed twenty five. Members should have a proven track record of sound judgment in leading or governing large, complex private sector corporations or entities and a wealth of top-level, global business experience in the areas of executive management, corporate governance, audit and finance, human resources and compensation, economics, technology and healthcare.

The Board members, to include the Board's Chairperson, shall be appointed by the Secretary of Defense, and their appointments will be renewed on an annual basis. Those members, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and serve as special government employees. With the exception of travel and per diem for official travel, Board Members shall serve without compensation.

The Chairpersons of the Defense Policy Board and the Defense Science Board shall serve as non-voting ex-officio members of the Board.

The Director of the Office of Management and Budget and the Comptroller General of the General Accounting Office shall serve as non-voting observers of the Board.

The Secretary of Defense may invite other distinguished U.S. Government officers to serve as non-voting observers of the Board, and appoint consultants, with special expertise, to assist the Board on an ad hoc basis. In addition, the Secretary of Defense may appoint experts and consultants, with special expertise, to assist the Board on an ad hoc basis. These experts and consultants, appointed under the authority of 5 U.S.C. § 3109, shall serve as special government employees; however, they shall have no voting rights on the Board.

Non-voting ex-officio members, non-voting observers and those non-voting experts and consultants appointed by the Secretary of Defense shall not count toward the Board's total membership.

13. Subcommittees: With DoD approval, the Board is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees or

working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate Federal statutes and regulations.

Such subcommittees or workgroups shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any Federal officers or employees who are not Board members.

Subcommittee members, who are not Board members, shall be appointed in the same manner as the Board members.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: